

**REMARKS**

Claim 1, 3-24 are pending this application. Claims 1, 12, and 18 are amended, as a result of which all the claims pending from those claims also stand amended in scope. Reconsideration of this application based on the amendments to the claims and the arguments presented here is respectfully requested.

With regard to the rejection under 35 U.S.C. 103, the Examiner is requested to review the arguments set forth in the last amendment, which are incorporated herein by reference. However, most specifically, it is noted that U.S. Patent No. 5,974,330 to Negishi is directed to a structure involving the attenuation of a RF signal level to determine proximity. U.S. Patent No. 6,453,168 to McCrady utilizes reply signal timing to determine proximity. Each of the references utilizes distinct structures and procedures to accomplish proximity locations that are used in the system as claimed. Specifically, the present claims are directed explicitly to a method and system wherein the locations of stationary devices are utilized for determinations. On that basis of such distinct operation and function, reconsideration is respectfully requested.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: December 2, 2007

9255 Sunset Blvd., Suite 810  
Los Angeles, CA 90069  
(310) 247-2860

By: /Byard G. Nilsson/  
Byard G. Nilsson  
Registration No. 17,350